

CITY ATTORNEY MIKE AGUIRRE SPEECH TO DOWNTOWN
ROTARY CLUB 33 ON JUNE 15, 2006

On January 20, 1961, the world witnessed one of the most profound speeches ever delivered, when President John F. Kennedy spoke at his inauguration: "And so, my fellow Americans: ask not what your country can do for you--ask what you can do for your country. My fellow citizens of the world: ask not what America will do for you, but what together we can do for the freedom of man."

At the same podium that inaugural day President Kennedy invited poet Robert Frost to speak. Robert Frost was supposed to read a poem entitled "Dedication," which he had written specially for the occasion. But, when Robert Frost approached the microphone he was blinded by the sun's glare on the snow-covered Capitol grounds. Unable to read, he quickly decided to recite from memory a poem he had written 20 years before called "The Gift Outright."

He began: "The land was ours before we were the land's. She was our land more than a hundred years Before we were her people."¹

The point Robert Frost made that day was that it took a long time for the American people to discover they were really a separate country from England and to create their own form of government. The land was ours

¹ America's Story from America's Library, http://www.americaslibrary.gov/cgi-bin/page.cgi/jb/modern/frost_1

before we were the lands. In other words, Americans were living and working together and building community without understanding that they were part of a new land with a new identity.

Today I believe the people of San Diego are building a new community and they are doing so without a collective community awareness of the new reality. San Diego is busy being born again into a more progressive community dedicated to the fundamental proposition that community power is to be used for community purposes.

The new San Diego cannot be tied to any single powerful institution. It has sprung out of the neighborhoods and the grass roots; it has been an awakening of the Common People of San Diego . It has elected people like Mayor Jerry Sanders, Council member Donna Frye and it is responsible for my election.

The new San Diego is pragmatic and well informed about the problems facing San Diego. In 2004 it gave the Democratic nominee for President an 11% majority over the Republican nominee. In 2005 it selected a moderate Republican to be its mayor.

The question before all of us now is whether we want to help this New San Diego come to full maturity or to continue the self-defeating battles to gain control of the machinery of City government to serve narrow economic interests.

I would like to present to you a vision for the New San Diego.

First, the New San Diego is committed to building a powerful economy based upon long term trends. We need to work with and support our major industries which provide jobs and wealth to our City. We must respect fundamental economic principals.

For example, the development industry today faces different challenges than it did in 1970. Developers must develop new skills and capabilities that support the basic construction needs of San Diego, which will be more in the area of infrastructure than single family homes.

Second, those who are a part of the New San Diego favor using sound financial analysis when considering how to expend the City's resources. They have learned the lessons from the ticket guarantee, and the major last minute changes to the ball park financing that costs the city millions of dollars with no corresponding benefit to the City's bottom line.

Third, those seeking to be a part of the New San Diego realize that our revenue base for the City is too narrow. The cry to raise city services and lower taxes is a great campaign slogan. It belongs in the same discredited category as the promise to raise pension benefits while lowering the City's contribution rates to the pension fund.

However, the public will only entrust city officials with more money if the City has a reliable system of internal financial controls. Taxpayers have to see city officials meeting their fiduciary duty to manage public funds.

One important step would be the replacement of the current pension board with a new 7 member board of independent managers who do not have any interest in the pension, as recommended by the Pension Reform Committee.

A Second step would be to establish in our Charter the complete independence of our City Auditor. The City Auditor, like the US Congressional Auditor could be appointed to a 10 year or more term to make sure that the City Auditor's independence is sacrosanct. The auditor's duty of full financial disclosure should run directly to the people of San Diego.

Fourth, our major institutions can contribute to the formation of the New San Diego by remaining true to their purposes. Taxpayer groups cannot allow themselves to be co-opted into supporting ticket guarantees or new subsidies for corporate sports teams.

Our Chamber of Commerce cannot be diverted from its mission to promote sound economic policies because of the political alignment of their board. It has been deeply disappointing that our Chamber of Commerce has not definitively called for the cancellation of the illegal pension benefits. The \$6 billion in pension benefits, a substantial portion of which was illegally created, threatens the financial viability of our City.

Fifth, we can never be the great city we should and could be without a great newspaper. Just recently, the San Diego Union Tribune received the Pulitzer prize, the highest journalistic achievement attainable, for its exposure of

Congressional corruption. The New San Diego needs that same level of intense investigative reporting at City Hall. The paper cannot be the advocate for the old San Diego, which believes in government by special interests.

Furthermore, the UT editorial board was not elected to run the City. The editorial board's role in lobbying for millions of dollars for the Kroll Group is scandalous. If the paper had been doing its job we never would have gotten into the financial crisis we face today. The paper styles itself as a watch dog. But in this case the watch dog didn't start barking until after the crimes were committed and the criminals had gotten away

I believe in the New San Diego because there is a place for everyone. The New San Diego supports business and labor because it believes in maintaining a level playing field. The New San Diego supports developers and environmentalists because both are essential to the building upon and maintaining of the quality of life in San Diego.

The New San Diego sees the immigration problem as part of a need for a foreign policy shift at the national level that puts more emphasis on our vital interests in Central and Latin America and on our border cities like San Diego.

The New San Diego seeks fundamental reform and change of our City government and for the major institutions in our city. We need new people or new attitudes in order to build the New San Diego.

On 7 April 1931 the people of San Diego adopted a new Charter which created an independent elected City Attorney with 80% of the vote. They also elected a new reform Mayor, Walter W. Austin. These reforms grew out of corruption scandals in San Diego government in the 1920's.

Instructive are the writings of A.R. Sauer, who was the Don Bauder of that day. Mr. Sauer wrote for the San Diego Herald. Here is what he said about the old San Diego of his day and the New San Diego the people of San Diego brought about in 1931.

First, from his 1929 article about the defeat of a charter change proposed by the special interests:

In all my life I never was so happy as I was in preparing the extra edition of the Herald which announced the defeat of the freeholders charter. I was happy not only because the charter had been defeated and the way paved for a new and better instrument, but because that defeat was the sign of a new era in civic affairs here-an era in which the voice of the people is going to be heard, with a consequent silence on the part of the high-hatted Charlie boys who have been making fools out of the rest of us since Father Horton staked out the town.

He continued, I love San Diego, and I have proved that love in nearly a half century of endeavor for my city. Last election day saw that endeavor bear its greatest fruit-the awakening of the common people of San Diego to a realization of their

importance and their power. One of the strangest things in the history of Southern California has been the fact that San Diego has permitted itself, almost without interruption, to be led around by the nose by a self-centered clique of bacterial growths whose only claim to fame was their overweening avariciousness.

In every public movement which has arisen here, this bunch *** has seized control of the impelling factors, forced the Chamber of Commerce and the newspapers to do their bidding, and walked off with the spoils.

The charter committee, as my readers will remember, was made up of practically the same outfits

We are now riding high. We must demand a charter committee which will work With the people and not AGAINST them.

Two years later and a few days before the April 1931 election, Mr. Sauer's writings reflected the shift from corruption to the reform that had taken place in San Diego:

I opposed the charter that was drawn up a couple of years ago, and my judgment was supported by the voters in general. Today I believe that there is not a citizen of this city who is not glad that this charter was defeated. We got a new board of freeholders who were willing to profit by the mistakes of their

predecessors, and the result is a piece of work which is all that it is intended to be.

That the new charter is a good charter is due primarily to the fact that the freeholders who composed it are business men who are also men who take pride in their city.

I believe today in 2006, 75 years after the 1931 reforms took place in San Diego we stand in the same position as San Diegans did then.

I ask each of you to dedicate yourself to the spirit of the New San Diego. So it can be said that the reforms that were necessary to transform our City to the greatness of which it is capable was due to business men and women who were also men and women that took pride in their City.